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45 Atl 265. This would seem to give him ample protection. It follows that the attorney should be allowed to recover for breach of the contract. The weight of authority is to this effect, and opposed to the principal case. *Bartlett v. Odd-Fellows' Sav. Bk.*, 79 Cal. 218, 21 Pac. 743; *Scheinesohn v. Lemonek*, 84 Ohio St. 424, 95 N. E. 913; *Moyer v. Cantieny*, 41 Minn. 242, 42 N. W. 1060. The scope of this decision, however, is expressly limited to an attorney employed for a single litigation.

BANKRUPTCY — DISCHARGE — DEBTS NOT AFFECTED: RIGHT OF REIMBURSEMENT OF ONE INDUCED BY FALSE REPRESENTATIONS TO BECOME SURETY. — One Dunfee by false representations induced a surety company to become surety on his bond. Upon Dunfee's default the company was compelled to pay on the bond. Later Dunfee was discharged in bankruptcy. Section 17, cl. 2, of the National Bankruptcy Act (U. S. COMP. STAT., § 9601) provides that a discharge in bankruptcy shall not release a debtor from "liabilities for obtaining property by false pretenses or false representations." The company sues for reimbursement. *Held*, that it may recover. *In the matter of Dunfee*, 56 N. Y. L. J. 287.

The Bankruptcy Act originally provided that a judgment for any fraud should not be released by a discharge in bankruptcy. Under such a broad provision it is clear that obtaining a loan under false pretenses creates a liability which is not discharged in bankruptcy. *Forsyth v. Vehmeyer*, 177 U. S. 177. This part of the Act was amended to its present form in 1903. The effect of the amendment is to require the obtaining of actual property by fraud, in order to bar the operation of discharge. *Rudstorm v. Sheridan*, 122 Minn. 262, 142 N. W. 313. Obtaining a promissory note by fraud has been held to constitute the statutory crime of obtaining property by false pretenses, even though no payment has been made on the note. See *People v. Reed*, 70 Cal. 529, 11 Pac. 676. The obligation incurred is considered to satisfy the statutory requisite of "property." It has also been intimated that fraudulently inducing another to become a surety may constitute the crime. See *State v. Thatcher*, 35 N. J. L. 445. No reason is apparent why the same facts would not satisfy the requirement of the bankruptcy statute. Where, as in the principal case, payment is made on the obligation, there would seem to be no doubt that "property" is obtained. For the intended and proximate result of the fraud is the payment of money. The Act also requires that property be "obtained." But the crime of fraudulently obtaining property is held to be committed by fraudulently inducing delivery of a chattel to a third person. *Musgrave v. State*, 133 Ind. 297, 32 N. E. 885. There is no reason why this should not govern the principal case. The tendency of the courts, however, has been to give as wide effect as possible to discharges in bankruptcy. See *Hennequin v. Clews*, 111 U. S. 676; *Gleason v. Thaw*, 236 U. S. 558. In view of such policy, it is possible that other courts may reach a different result.

CONSTITUTIONAL LAW — CONSTRUCTION, OPERATION AND ENFORCEMENT OF CONSTITUTIONS — MEANING OF LEGISLATURE IN THE FEDERAL CONSTITUTION. — The general assembly of Ohio passed an act rearranging the congressional election districts. Under the referendum provision of the state constitution the law was submitted to popular vote and disapproved. Art. 1, § 4, of the Constitution of the United States provides that "the times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the legislature thereof." A *mandamus* was brought to order the state election officers to disregard the referendum as void. *Held*, that the referendum may constitutionally be made part of the state legislative power for the purpose of creating congressional districts. *State of Ohio ex rel. Davis v. Hildebrandt*, 36 Sup. Ct. Rep. 708.

The court argued only the constitutional objection that the inclusion of the referendum in the state legislative power for the purpose of creating congress-